

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SCOTTSDALE INSURANCE COMPANY,

Plaintiff(s),

vs

15-cv-04764 (ADS)(AYS)

PRISCILLA PROPERTIES, LLC, NANCY
BELANGER, AS ADMINISTRATRIX OF THE
ESTATE OF NEIL BELANGER, NANCY
BELANGER INDIVIDUALLY, MONICA A.
GRAHAM, MONICA GRAHAM TRUST, PINE
CONSTRUCTION CORP.

DECLARATION OF TODD D.
KREMIN IN SUPPORT OF
SCOTTSDALE INSURANCE
COMPANY'S MOTION FOR
DEFAULT JUDGMENT AND
SUMMARY JUDGMENT

Defendant(s)

TODD D. KREMIN, hereby declares under the penalties of perjury:

1. I am a Partner with the law firm of Goldberg Segalla LLP, attorneys for Plaintiff Scottsdale Insurance Company ("Plaintiff"), and as such, I am fully familiar with the matters stated in this declaration and all prior pleadings and proceedings.
2. Attached as **Exhibit A** is a copy of the complaint filed in the lawsuit commenced in the Supreme Court of the State of New York, County of Suffolk, captioned *Belanger v. Graham et al.*, Index No. 005761/13 (the "Underlying Lawsuit").
3. Attached as **Exhibit B** is a copy of the one-count complaint filed in this declaratory judgment action.
4. Attached as **Exhibit C** is a copy of the affidavit of service of the summons and complaint in this declaratory judgment action, certifying that the summons and complaint

directed to defendant Priscilla Properties LLC was properly served upon the New York Secretary of State.

5. Attached as **Exhibit D** is a copy of the affidavit of service of the summons and complaint in this declaratory judgment action, certifying that the summons and complaint directed to defendant Pine Construction Corp. was properly served upon the New York Secretary of State.

6. Attached as **Exhibit E** is a copy of the affidavits of service certifying service upon Nancy Belanger, As Administratrix of the Estate Of Neil Belanger, Nancy Belanger individually (collectively, the "Belanger Defendants"), Monica A. Graham, and Monica Graham Trust (collectively, the "Graham Defendants").

7. Attached as **Exhibit F** is the Belanger Defendants answer to the complaint in this declaratory judgment action.

8. Attached as **Exhibit G** is the Graham Defendants answer to the complaint in this declaratory judgment action.

9. Attached as **Exhibit H** is a copy of the correspondence issued on behalf of Scottsdale rescinding he Policy and attempting to return the premium.

Dated: Garden City, New York
July 15, 2016

Respectfully submitted,
Goldberg Segalla LLP

By: S/
Todd D. Kremin